



January 23, 2009

SENATE BILL No. 270

DIGEST OF SB 270 (Updated January 20, 2009 12:46 pm - DI 71)

Citations Affected: IC 16-31; IC 22-15.

Synopsis: Occupational certification requirements. Amends various provisions concerning certification and licensing requirements for: (1) emergency medical dispatchers and dispatch agencies; (2) regulated amusement device inspectors; and (3) boiler and pressure vessel inspectors. Deletes obsolete provisions. Repeals provisions concerning certification requirements for emergency medical dispatchers and dispatch agencies.

Effective: July 1, 2009.

Arnold, Wyss, Randolph

January 7, 2009, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.
January 22, 2009, amended, reported favorably — Do Pass.

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SB 270—LS 6646/DI 103+



January 23, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 270

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-31-3.5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) The definitions
3 in this section apply throughout this chapter.

4 (b) ~~"Medical director"~~ means a licensed physician who provides
5 emergency medical dispatch medical direction to the emergency
6 medical dispatch agency and works with the local emergency medical
7 services medical director, if not the same person.

8 (c) "Emergency medical dispatcher" means a person who is trained
9 to provide emergency medical dispatch services and who is certified
10 under this chapter.

11 (d) (b) "Emergency medical dispatching" means the reception,
12 evaluation, processing, and provision of dispatch life support,
13 management of requests for emergency medical assistance, and
14 participation in ongoing evaluation and improvement of the emergency
15 medical dispatch process. This process includes identifying the nature
16 of the request, prioritizing the severity of the request, dispatching the
17 necessary resources, providing medical aid and safety instructions to

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the callers, and coordinating the responding resources as needed, but does not include call routing itself.

~~(e)~~ (c) "Emergency medical dispatch agency" means any person that provides emergency medical dispatching for emergency medical assistance that is certified under this chapter.

SECTION 2. IC 16-31-3.5-3, AS AMENDED BY P.L.22-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. ~~(a) After December 31, 2006, an individual may not furnish, operate, conduct, maintain, or advertise services as an emergency medical dispatcher or otherwise be engaged as an emergency medical dispatcher unless that individual is certified by the commission as an emergency medical dispatcher.~~

~~(b)~~ After December 31, 2006, 2009, a person may not furnish, operate, conduct, maintain, or advertise services as an emergency medical dispatcher or otherwise be engaged as an emergency medical dispatch agency unless certified by the commission as an emergency medical dispatch agency.

SECTION 3. IC 16-31-3.5-5, AS AMENDED BY P.L.22-2005, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) To be certified as an emergency medical dispatch agency, a person must:

- (1) meet the standards established by the commission; and
- (2) pay the fee established by the commission.

(b) An emergency medical dispatch agency certificate expires on the expiration date established when it is issued, which must be at least two (2) years after the date of its issuance. To renew a certificate, an emergency medical dispatch agency must:

- (1) meet the renewal requirements established by the commission; and
- (2) pay the fee established by the commission.

(c) The emergency medical dispatch agency must be operated in a safe, efficient, and effective manner in accordance with commission approved standards that include the following requirements:

- (1) **Before functioning alone in an online capacity**, all personnel providing emergency medical dispatch services must be certified as emergency medical dispatchers **by through a training program that is:**

- (A) **approved by the commission; before functioning alone in an online capacity; and**
- (B) **used by the department.**

- (2) The protocols, procedures, standards, and policies used by an emergency medical dispatch agency to dispatch emergency

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1 medical aid must comply with the requirements established by the
2 commission.

3 ~~(3) The commission must require the emergency medical dispatch~~
4 ~~agency to appoint a dispatch medical director to provide~~
5 ~~supervision and oversight over the medical aspects of the~~
6 ~~operation of the emergency medical dispatch agency.~~

7 (d) The commission may require the submission of periodic reports
8 from an emergency medical dispatch agency. The emergency medical
9 dispatch agency must submit the reports in the manner and with the
10 frequency required by the commission.

11 (e) An emergency medical dispatch agency shall report to the
12 commission whenever an action occurs that may justify the revocation
13 or suspension of a certificate issued by the commission.

14 SECTION 4. IC 22-15-6-2, AS AMENDED BY P.L.1-2006,
15 SECTION 397, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The division shall conduct a
17 program of periodic inspections of regulated boilers and pressure
18 vessels.

19 (b) The division or a boiler and pressure vessel inspector acting
20 under section 4 of this chapter shall issue a regulated boiler and
21 pressure vessel operating permit to an applicant who qualifies under
22 this section.

23 (c) Except as provided in subsection (f), a permit issued under this
24 section expires one (1) year after it is issued. The permit terminates if
25 it was issued by an insurance company acting under section 4 of this
26 chapter and the applicant ceases to insure the boiler or pressure vessel
27 covered by the permit against loss by explosion with an insurance
28 company authorized to do business in Indiana.

29 (d) To qualify for a permit or to renew a permit under this section,
30 an applicant must do the following:

31 (1) Demonstrate through an inspection that the regulated boiler or
32 pressure vessel covered by the application complies with the rules
33 adopted by the rules board.

34 (2) Pay the fee set under IC 22-12-6-6(a)(8).

35 ~~(e) After June 30, 2004,~~ An inspection under subsection (d)(2) shall
36 be conducted as follows:

37 (1) An inspection for an initial permit shall be conducted by:

38 (A) the division; or

39 (B) an owner or user inspection agency.

40 (2) An inspection for a renewal permit shall be conducted by one

41 (1) of the following:

42 (A) An insurance company inspection agency, if the vessel is

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insured under a boiler and pressure vessel insurance policy and the renewal inspection is not conducted by an owner or user inspection agency.

(B) An owner or user inspection agency.

(C) The division, if:

(i) the owner or user of a vessel is not licensed as an owner or user inspection agency and the vessel is not insured under a boiler and pressure vessel insurance policy; **or**

(ii) the regulated boiler or pressure vessel operating permit has lapsed.

(f) The rules board may, by rule adopted under IC 4-22-2, specify a period between inspections of more than one (1) year. However, the rules board may not set an inspection period of greater than five (5) years for regulated pressure vessels or steam generating equipment that is an integral part of a continuous processing unit.

SECTION 5. IC 22-15-7-4, AS AMENDED BY P.L.1-2006, SECTION 404, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to define appropriate training for a person who inspects regulated amusement devices.

(b) The rules required under this section must, at a minimum, provide the following:

(1) The adoption by reference of:

(A) ASTM F 698 (1994 edition) ("Specification for Physical Information to be Provided to Amusement Rides and Devices");

(B) ASTM F 770 (1993 edition) ("Practice for Operation Procedures for Amusement Rides and Devices");

(C) ASTM F 846 (1992 edition) ("Guide for Testing Performance of Amusement Rides and Devices");

(D) ASTM F 853 (1993 edition) ("Practice for Maintenance Procedures for Amusement Rides and Devices");

(E) ASTM F 893 (1987 edition) ("Guide for Inspection of Amusement Rides and Devices");

(F) ASTM F 1305 (1994 edition) ("Standard Guides for the Classification of Amusement Ride and Device Related Injuries and Illnesses"); or

(G) any subsequent published editions of the ASTM standards described in clauses (A) through (F).

(2) A requirement that inspectors employed or contracted by the division:

(A) have and maintain at least:

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- 1 (i) a Level 1 certification from the National Association of
 2 Amusement Ride Safety Officials **or an equivalent**
 3 **organization; or**
 4 (ii) **an equivalent certification from a process or system;**
 5 **approved by the commission; and**
 6 (B) conduct inspections that conform to the rules of the
 7 commission.
 8 (3) A requirement that regulated amusement devices be operated
 9 and maintained in accordance with the rules of the commission.
 10 (4) ~~After July 1, 2005,~~ The commission's chief inspector or
 11 supervisor of regulated amusement device inspectors must have
 12 and maintain ~~at least:~~ ~~(A)~~ a Level I certification. ~~if the chief~~
 13 ~~inspector or supervisor has not more than five (5) years of service~~
 14 ~~as the chief inspector or a supervisor; and~~
 15 ~~(B) a Level II certification if the chief inspector or supervisor~~
 16 ~~has more than five (5) years of service as the chief inspector or~~
 17 ~~a supervisor.~~
 18 SECTION 6. THE FOLLOWING ARE REPEALED [EFFECTIVE
 19 JULY 1, 2009]: IC 16-31-3.5-4; IC 16-31-3.5-4.5; IC 16-31-3.5-6.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 270, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, delete lines 14 through 42.

Delete page 4.

Page 5, delete lines 1 through 40.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 270 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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